

Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 IO-14 ISO-00 DHA-02 CIAE-00 DODE-00
PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-02
PRS-01 SP-02 SS-15 USIA-15 /095 W
-----088155 161228Z /41

P R 161115Z JUL 77
FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC PRIORITY 8091
INFO USMISSION GENEVA
AMEMBASSY LONDON
AMCONSUL JOHANNESBURG
AMCONSUL DURBAN
AMCONSUL CAPE TOWN

UNCLAS PRETORIA 3506

E.O. 11652: N/A
TAGS: SF, PINT, SHUM
SUBJ: TRIAL OF BREYTON BREYTENBACH

REF: PRETORIA 3495 AND PREVIOUS

1. IN A TWO-HOUR JUDGEMENT YESTERDAY, JULY 15, JUSTICE BOSHOFF
DISMISSED
THE CHARGES AGAINST AFRIKANER POET BREYTN BREYTENBACH UNDER THE TE-
RRORISM AND RIOTOUS ASSEMBLIES ACTS, FOUND HIM GUILTY ON FIFTEEN
COUNTS UNDER THE PRISONS ACT, AND FINED HIM R50. BREYTENBACH WAS IMME-

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DIATELY RETURNED TO PRISON TO RESUME THE NINEYEAR TERM TO WHICH
HE WAS SENTENCED UNDER THE TERRORISM ACT IN NOVEMBER 1975. THE STATE
HAS INDICATED IT WILL NOT APPEAL THE VERDICT. THE PRESS JULY 16
REPORTS
BREYTENBACH WILL NOW BE TAKEN OUT OF SOLITARY CONFINEMENT, THOUGH THE
PLACE OF HIS IMPRISONMENT WILL NOT BE REVEALED.

2. DEFENSE COUNSEL HAD ACKNOWLEDGED IN HIS SUMMATION EARLIER IN THE
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DAY
THAT BREYTENBACH HAD VIOLATED THE PRISONS ACT BY SMUGGLING LETTERS
AND
OTHER DOCUMENTS OUT OF PRISON, BUT BOSHOFF FOUND THAT THE PROSECUTION
HAD NOT PROVEN THE CHARGES UNDER THE TERRORISM AND RIOTOUS ASSEMBLIES
ACTS, BREYTENBACH HAD NOT BEEN SHOWN TO HAVE ENDANGERED THE SECURITY
OF

THE STATE; THE EXISTENCE IN SOUTH AFRICA OF AN ORGANIZATION KNOWN AS OKHELA, WITH WHICH THE ACCUSED WAS SUPPOSEDLY ASSOCIATED AND WHICH HAD

AS ITS OBJECTIVE THE VIOLENT OVERTHROW OF THE GOVERNMENT, HAS NOT BEEN DEMONSTRATED; NOR HAD IT BEEN PROVEN BREYTENBACH SERIOUSLY CONTEMPLATED ESCAPE FROM PRISON. THE JUDGE FOUND THAT BREYTENBACH." A MAN

INTENSELY DEPRIVED IN A SITUATION OF ISOLATION", HAD KEPT UP HIS CONTACT WITH THE CHIEF STATE WITNESS, WARDER GROENEWALD, AS HIS ONLY CONTACT

WITH THE OUTSIDE WORLD. THE TESTIMONY OF GROENEWALD, BOSHOFF EXPLAINED AT SOME LENGTH, WAS OPEN TO CONSIDERABLE DOUBT. HE ALSO REVIEWED (Q) BREYTENBACH'S POLITICIZATION IN THE EARLY 1960'S, BEGINNING WITH THE REFUSAL OF A SOUTH AFRICAN VISA TO THE ACCUSED'S VIETNAMESE WIFE;(2) THE STRONG MOTIVATION FOR A WRITER, POET AND ARTIST

TO SMUGGLE LETTERS OUT OF PRISON WHEN THE LAW PERMITTED HIM ONLY ONE 500-WORD LETTER PER MONTH; AND (3) THE CRUSHING EFFECT OF THE 1975 NINE-YEAR SENTENCE WHEN THE POET HAD EVERY REASON TO EXPECT THAT HIS COOPERATION WITH THE POLICE AT THE TIME WOULD ASSURE HIM OF THE MINIMUM SENTENCE OF FIVE YEARS. BOWDLER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRIALS, COURT DECISIONS, TERRORISTS
Control Number: n/a
Copy: SINGLE
Sent Date: 16-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977PRETOR03506
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770254-0077
Format: TEL
From: PRETORIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770750/aaaabrcz.tel
Line Count: 83
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 8a06366a-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 PRETORIA 3495
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 11-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1841245
Secure: OPEN
Status: NATIVE
Subject: TRIAL OF BREYTON BREYTENBACK
TAGS: PINT, SHUM, SF, (BREYTENBACK, BREYTON)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/8a06366a-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009